



Attorney Docket: 622/48561
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MARTIN DUBS ET AL.

Serial No.: 09/484,421 Group Art Unit: 1753

Filed: JANUARY 18, 2000 Examiner: G. Cantelmo

Title: SPUTTER CHAMBER AS WELL AS VACUUM
TRANSPORT CHAMBER AND VACUUM HANDLING
APPARATUS WITH SUCH CHAMBERS

S/W.M.
6/6/01

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

June 4, 2001

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TC 1700

Sir:

In response to the restriction requirement dated May 4, 2001, applicants provisionally elect the Claims of Group I, namely Claims 1-16.


The Patent and Trademark Office has not made a prima facie case of independence and/or distinctness sufficient to satisfy 35 U.S.C. § 121, and MPEP §§ 806.05(c), (d), (e) and (h). In particular, the Office Action does not demonstrate materiality as is required under the aforementioned MPEP sections. The general statements that the sub-combination has separate utility such as the sputtering chamber used in a single chamber system, or that the apparatus can be used to form other products, with a general reference to such products, do not constitute the materiality sufficient to require the filing of individual applications.

Accordingly, reconsideration of the restriction requirement and an action on the merits of all the claims is now earnestly solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any such fee or any deficiency in fees or credit any overpayment of fees to Deposit Account No. 05-1323 (Docket #381NP/48786).

Respectfully submitted,



James F. McKeown
Registration No. 25,406

CROWELL & MORING, LLP
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 628-8800
Facsimile No.: (202) 628-8844

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